

CHAPTER NO. 113

SENATE BILL NO. 1891

By Haun

Substituted for: House Bill No. 1918

By Givens, Walker

AN ACT To amend Tennessee Code Annotated, Title 67, Chapter 4, Part 10, to ensure that tobacco distributors and wholesalers comply with the Commissioner of Revenue's requests for information about cigarettes sold in Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 4, Part 10, is amended by adding the following new section:

Section _____. (a)(1) The Commissioner of Revenue may issue to any tobacco distributor or wholesaler licensed pursuant to T.C.A. § 67-4-1015, a request for information about cigarette units sold in Tennessee.

(2) Any tobacco distributor or wholesaler licensed pursuant to T.C.A. §67-4-1015, shall comply with a request for information issued by the Commissioner of Revenue pursuant to subdivision (a)(1) within thirty (30) days of receipt.

(3) "Cigarette" has the same meaning as ascribed in T.C.A. §47-31-102(4).

(4) "Units sold" has the same meaning as ascribed in T.C.A. § 47-31-102(10).

(b) The Commissioner of Revenue may, after providing notice and an opportunity for a hearing under T.C.A. § 67-1-105, suspend or revoke the license of any tobacco distributor or wholesaler or impose a civil penalty or other sanctions for failure to comply with the provisions of this section. The Commissioner may attempt to resolve proposed sanctions through an informal conference before a hearing is held under T.C.A. § 67-1-105.

(c) The Commissioner of Revenue may from time to time make, promulgate, amend and rescind such rules as are necessary to carry out the provisions of this section. All rules provided for in this part shall be adopted, promulgated and contested as provided in the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 12, 2001


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 18th day of April 2001


DON SUNDQUIST, GOVERNOR